



APPROVED MINUTES

SUNNYVALE PLANNING COMMISSION

The Planning Commission met in regular session in the Council Chambers, City of Sunnyvale, 456 W. Olive Avenue, Sunnyvale, CA on **February 27, 2006 at a special start time of 7:00 p.m.** with Chair Hungerford presiding over the meeting.

ROLL CALL

Members Present: Chair Charles Hungerford; Commissioner Laura Babcock; Commissioner Larry Klein; Commissioner David Simons; and Commissioner Brandon Sulser

Members Absent: Vice Chair Fussell, excused absence.

Staff Present: Trudi Ryan, Planning Officer; Rebecca Moon, Assistant City Attorney; Gerri Caruso, Principal Planner; Andy Miner, Principal Planner; Ryan Kuchenig, Assistant Planner and Debbie Gorman, Recording Secretary

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

None

CITIZENS TO BE HEARD

APPROVAL OF MINUTES of February 13, 2006

ACTION: Comm. Klein made a motion to approve the minutes of February 13, 2006. Comm. Sulser seconded the motion. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

PUBLIC HEARINGS/GENERAL BUSINESS

1. **2005-0027 – Study Issue** - Places of Assembly Located within Industrial and Commercial Zones - Study Issue – RK **(Continued from February 13, 2006, special start time of 7:00 p.m.) (Staff requests continuance to a date certain.)**

ACTION: Comm. Simons made a motion on 2005-0027 to continue the item to a Special Planning Commission Meeting on March 6, 2006 at 8 p.m. Comm. Klein seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

APPEAL OPTIONS: None, item to be continued to a Special Planning Commission Meeting on March 6, 2006 at 8 p.m.

2. **2004-0169 - Study Issue** – Study Issue to consider amending Title 19 of the Sunnyvale Municipal Code to allow opportunities for service uses in the City. (Negative Declaration) AM

ACTION: Comm. Babcock made a motion on 2005-0169 to direct staff that the study be divided into two phases with the following actions:

Phase I: Approve Zoning District Concepts and Revise Zone

- Approve modifications to uses listed in the Commercial Service (C-4) Zoning District (see Attachment E of the report);
- Approve the zoning use definitions and standards shown in Attachment E;
- Select sites for rezoning study.

Phase II : Rezone property

- Detailed analysis for and rezoning studies of sites select in Phase II. Staff would analyze if the appropriateness of rezoning including whether non-conforming uses are created.

Modify Attachment E to include the wording “Public utility service centers are not permitted in C-1, C-2 or C-3 Zoning Districts, but are permitted, with a Use Permit, in C-4.” Comm. Klein seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

APPEAL OPTIONS: This item is scheduled to be heard by the City Council on March 21, 2006.

3. **2006-0017:** Application for a Design Review on a 9,920 square-foot site to allow demolition of an existing home and construction of a new two-story house totaling 4,461 square feet where 4,050 square feet may be allowed without Planning Commission review. The property is located at **1391 Ramon Drive** (near Elizabeth Way) in an R-1 (Low-Density Residential) Zoning District. (APN: 313-01-041) JM *(Staff requests continuance to March 13, 2006.)*

ACTION: Comm. Sulser made a motion on 2006-0017 to continue the item to the March 13, 2006 Planning Commission Meeting. Comm. Klein seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

APPEAL OPTIONS: None, item to be continued to the March 13, 2006 Planning Commission Meeting.

4. **2005-1048 – Jeffery Morris** [Applicant] **Morris Associates IX** [Owner]: Application on a 2.1-acre site for related proposals located at **595 Lawrence Expressway** (at Duane Ave) in an M-S (Industrial & Service) Zoning District. (Negative Declaration) (APN: 205-23-017) JM; *(Applicant requests continuance to March 13, 2006.)*

- **Special Development Permit** to construct a new 22,590 square-foot shopping center,
- **Rezone** from M-S (Industrial & Service) to M-S/PD (Industrial & Service/Planned Development) Zoning District

ACTION: Comm. Klein made a motion on 2005-1048 to continue the item to the March 13, 2006 Planning Commission meeting. Comm. Babcock seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

APPEAL OPTIONS: None, item to be continued to the March 13, 2006 Planning Commission Meeting.

5. **2006-0043 – Cingular Wireless** [Applicant] **Sunnyvale School District** [Owner]: Application for a Use Permit on an 11.2-acre site to allow a new 50-foot tree pole telecommunication facility with six panel antennas and associated ground equipment. The property is located at **450 North Sunnyvale Avenue** (Bishop Elementary School near E Maude Ave) in a P-F (Public Facility) Zoning District. (Negative Declaration) (APN: 204-36-001) RK

ACTION: Comm. Simons made a motion on 2006-0043 to adopt the Negative Declaration and approve the Use Permit with modified conditions; to replace Condition of Approval (COA) 3.A.2 with the following language, “Staff to determine the minimum diameter of the trunk of a tree pole that would allow up to an additional two carriers. Based on the resulting diameter, staff is to determine the visually appropriate tree species that would accommodate the trunk.” Comm. Klein seconded. Motion carried unanimously, 4-0, Chair Hungerford recused himself, Vice Chair Fussell absent.

APPEAL OPTIONS: This item is appealable to City Council no later than March 14, 2006.

6. **2005-1009 - Greg Mussallem** [Applicant] **Virginia J Mardesich, Trustee** [Owner]: Application for related proposals on a 16,213 square-foot site located at **563 Alberta Avenue** (near Sunnyvale-Saratoga Rd) in an R-2 (Low-Medium Density Residential) Zoning District. (Negative Declaration) (APN: 323-30-025) RK;

- **Special Development Permit** to allow the construction of four new single-family homes, and
- **Rezone** from R-2 (Low-Medium Density Residential) to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District.

ACTION: Comm. Sulser made a motion on 2005-1009 to adopt the Negative Declaration and introduce an Ordinance to Rezone 563 Alberta Avenue from R-2 to R-2/PD and approve the Special Development Permit with modified conditions; to modify Conditions of Approval (COA) 7.I.1. and 7.J. that language include that the replaced trees be “large species, native trees as appropriate for the site.” Comm. Simons seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent .

APPEAL OPTIONS: This item is scheduled to be heard by the City Council on March 21, 2006.

- 7. 2006-0036 – Centex Homes** [Applicant/Owner]: Application for a Special Development Permit (SDP) on a 4.8-acre site to a previously approved SDP (10/25/05) to allow for an increase in height from two to three stories and an increase of approximately 370 square feet to one of three plans. The property is located at **610 Alberta Avenue** (near Hollenbeck Av) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District. (APN: 323-33-062) GC

ACTION: Comm. Klein made a motion on 2006-0036 to deny the Special Development Permit. Comm. Sulser seconded. Motion carried unanimously, 5-0, Vice Chair Fussell absent.

APPEAL OPTIONS: This item is appealable to City Council no later than March 14, 2006.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

City Council Meeting Report

Ms. Caruso said there has been one City Council meeting since the previous Planning Commission meeting. There were two items related to planning on the agenda. One item was a General Plan Initiation (GPI) request for sites located at 521 and 539 East Weddell requesting modification of the General Plan from Industrial to either Neighborhood Commercial or Civic Center as the applicant would eventually like to put a daycare at the site. The second item was also a GPI request for a site located at 1275 Lawrence Station Road requesting modification of the General Plan from Industrial to a mixed use. (This site was previously considered to be rezoned to residential and was denied.)

Ms. Caruso said upcoming City Council meetings will include the following:

February 28, 2006 there are no planning items scheduled.

March 7, 2006, the Places of Assembly issue is scheduled to be heard along with an appeal of a Planning Commission decision denying a seminary use on Stewart Drive.

March 21, 2006, the Council will be hearing two items discussed at the Planning Commission tonight. Council will be considering the Zoning for Land Uses Study Issue and the rezone request on 563 Alberta Avenue.

Council will also be considering an item regarding a retail use for 595 Lawrence, and an appeal of a Planning Commission decision denying a variance for a shed at 885 Lakechime Drive.

Ms. Caruso also announced that the deadline to apply for the Planning Commission opening will end tomorrow, February 28, 2006 at 5 p.m. She said anyone interested in applying should contact the City Clerk's office.

Other Staff Oral Report

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Gerri Caruso
Principal Planner